

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION**

**EVELYN STEVENS,
Plaintiff,**

vs.

**COMMISSIONER OF SOCIAL
SECURITY,
Defendant.**

CIVIL NO. 3:20-cv-00081-JMV

ORDER ON PETITION FOR ATTORNEY FEES

Before the Court are Plaintiff's motion [25] for attorney fees pursuant to the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d), and Defendant's response [26].

In these proceedings Plaintiff sought judicial review of the Social Security Commissioner's final decision denying a claim for benefits. By Final Judgment [24] dated April 19, 2021, this Court remanded this case to the Social Security Administration for further proceedings. Plaintiff now seeks attorney fees in the amount of \$5,780.00 for 28.9 hours of attorney time before this Court on the grounds that Plaintiff was the prevailing party and the Commissioner's position was not substantially justified. The Commissioner does not oppose the requested award but insists the award be made payable directly to Plaintiff pursuant to *Astrue v. Ratliff*, 560 U.S. 586, 589 (2010). The Court, having thoroughly considered the matter, finds the requested award is reasonable, and no special circumstance would make the award unjust. Further, the award should be made payable to Plaintiff and mailed in the care of Plaintiff's counsel, consistent with the Commissioner's general procedure.

THEREFORE, IT IS ORDERED:

That the Commissioner shall promptly pay Plaintiff \$5,780.00 in attorney fees for the benefit of counsel for Plaintiff.

This 21st day of June, 2021.

/s/ Jane M. Virden
U.S. MAGISTRATE JUDGE